IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ABINGDON DIVISION

DORIS BETTY ADDISON, ON BEHALF OF HERSELF AND ALL OTHERS SIMILARILY SITUATED,)))	
Plaintiff,) Case No. 1:10CV00065	
V.	ORDER	
CNX GAS COMPANY, LLC, ET AL.,) By: James P. Jones) United States District Jud	lge
Defendants.)	

This action by a lessor of coalbed methane gas was referred to a magistrate judge pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2006 & Supp. 2011) and Federal Rule of Civil Procedure 72(b) for findings and recommendations on motions to dismiss by the defendants. After briefing and argument by the parties, the magistrate judge issued her Amended Report and Recommendations. *Addison v. CNX Gas Co.*, No. 1:10CV00065 (W.D. Va. May 13, 2011) (Sargent, J.). The plaintiff and the defendants filed timely Objections to the Report and Recommendations, which Objections have been briefed and argued before me.

Based upon my de novo review of the Objections, it is **ORDERED** as follows:

1. All of the Objections are OVERRULED;

2. The Amended Report and Recommendations (ECF No. 44) are fully

ACCEPTED;

3. The Motion to Dismiss Plaintiff's Complaint by CNX Gas Company

LLC (ECF No. 12) is GRANTED IN PART AND DENIED IN PART in accord

with the Amended Report and Recommendations;

4. The Motion to Dismiss Plaintiff's Complaint by Commonwealth Coal

Company (ECF No. 16) is GRANTED IN PART AND DENIED IN PART in

accord with the Amended Report and Recommendations; and

5. The Motion to Strike CNX Gas Company, LLC's Reply (ECF No. 57)

is GRANTED, such reply being unauthorized.

ENTER: September 28, 2011

/s/ James P. Jones

United States District Judge

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